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FEDERAL ENERGY
REGULATORY COMMISSION

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Avisco Corporation,)
Bonneville Power Administration)
Idaho Power Company,)
The Montana Power Company,)
Nevada Power Company,)
PacifiCorp,)
Portland General Electric Company,)
Puget Sound Energy, Inc.,)
Sierra Pacific Power Company)

Docket No. RT01-35-005

**MOTION TO INTERVENE OF
XCEL ENERGY SERVICES INC.**

Pursuant to Rules 212 and 214 of the Commission's Rules of Practice and Procedure, Xcel Energy Services Inc. ("XES"), on behalf of Public Service Company of Colorado ("PS Colorado") and Cheyenne Light, Fuel and Power Company ("Cheyenne"), moves to intervene in this proceeding.

In Support of this motion, XES states as follows:

1) XES requests that the following two persons be placed on the official service list in this proceeding:

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2) XES is the service company subsidiary of Xcel Energy Inc., the registered holding company parent of PS Colorado, Cheyenne, Northern States Power Company, Northern States Power Company (Wisconsin), and Southwestern Public Service Company (collectively, the

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“Xcel Energy Operating Companies”). As such, XES files various agreements and tariffs with the Commission, including an open-access transmission tariff and a market-based rate tariff, on behalf of the Xcel Energy Operating Companies.¹ XES also intervenes and appears in proceedings before the Commission on behalf of the Xcel Energy Operating Companies on both a collective and individual basis.

3) PS Colorado is a public utility engaged in the generation, transmission, distribution, and sale of electric energy, and the distribution of natural gas. PS Colorado serves approximately 1.2 million electric customers at retail in Colorado, primarily in the Denver metropolitan area. It also is an active participant in the wholesale electric markets in the West, and provides partial requirements service to a number of entities. PS Colorado has an extensive transmission system consisting of 3,956 miles of transmission lines rated at 69 KV or above. PS Colorado’s transmission system includes many lines that are jointly owned with neighboring systems, including Western Area Power Administration (“Western”) and Tri-State Generation and Transmission Association, Inc. (“Tri-State”). PS Colorado operates a NERC-certified control area.

4) Cheyenne is a public utility engaged in the purchase, distribution, and sale of electricity and natural gas. Cheyenne provides electric service to approximately 35,000 retail customers in and around Cheyenne, Wyoming. Cheyenne is presently a full requirements customer of PS Colorado. It does not serve any wholesale customers. Cheyenne owns approximately 25 miles of 115 KV transmission facilities. These facilities are currently within

1. Acting on behalf of all of the Xcel Energy Operating Companies other than Cheyenne, XES was also one of the filing entities to the recent TRANSLink Transmission Company LLC (“TRANSLink”) application, described below.

the electrical control area of Western, and Cheyenne is a transmission dependent utility customer of Western.

5) In the West, there have been various initiatives to form independent system operators (“ISOs”) or regional transmission organizations (“RTOs”), in addition to the existing California ISO. These initiatives have included IndeGo, Desert STAR, and the Rocky Mountain ISO, none of which were ultimately successful. PS Colorado actively participated in these efforts. Given the time table adopted by the FERC in Order No. 2000² and subsequent orders for RTO formation, PS Colorado and the other Xcel Energy Operating Companies other than Cheyenne, moved forward by participating in the proposal to form TRANSLink, which was filed with the Commission in Docket No. EC01-156-000 *et al.* on September 28, 2001.³

TRANSLink will function as an independent transmission company (“ITC”) through which parties committing transmission assets will obtain certain services from one or more RTOs in compliance with Order No. 2000. The TRANSLink proposal built upon the Commission’s conceptual approval of the creation of ITCs in a “binary” relationship to an RTO to carry out certain RTO functions on an independent, for-profit basis.⁴ On April 25, 2002, the Commission conditionally approved the TRANSLink proposal. To date, PS Colorado is the only TRANSLink participant that is in the Western Interconnection; all other participants are in the Eastern Interconnection. As stated in the TRANSLink filing, TRANSLink will likely seek to

2. Regional Transmission Organizations, Order No. 2000, 65 Fed. Reg. 809 (January 6, 2000), FERC Stats. and Regs. ¶31,089 (1999), order on reh’g, Order No. 2000-A, 65 Fed. Reg. 23,088 (March 8, 2000), FERC Stats. and Regs. ¶31,092 (2000).

3. See “Notice of Filing” dated October 5, 2001, and “Notice of Extension of Time” dated October 24, 2001. Because Cheyenne operates in Western’s control area, and given the de minimis nature of its transmission system, the decision was made not have Cheyenne initially participate in TRANSLink, but rather to make a decision after Western made its intentions known as to RTO formation.

4. *Commonwealth Edison, et al.* 90 FERC ¶61,192 (2000).

establish a binary relationship with one host RTO in the Western Interconnection where TRANSLink obtains certain RTO services for the transmission facilities that it controls, including those of PS Colorado (and possibly Cheyenne).

6) At present, there appears to be two viable efforts to form new RTOs in the WSCC: the WestConnect RTO, LLC (“WestConnect”), which is being addressed in Docket No. EL02-9 *et al.*, and RTO West. At issue in this proceeding is the Stage 2 filing and request for declaratory order pursuant to Order 2000 (“Stage 2 Filing”) filed by the current RTO West participants: Avista Corporation, Bonneville Power Administration, Idaho Power Company, The Montana Power Company, Nevada Power Company, PacifiCorp, Portland General Electric Company, Puget Sound Energy, Inc., and Sierra Pacific Power Company (collectively the “RTO West Participants”). The purpose of the State 2 Filing is to obtain a ruling from the commission that the RTO West proposal “fulfills all of the characteristics and functions required for status as a regional transmission organization under Order 2000.” Stage 2 Filing at 2. The Stage 2 Filing includes various formation documents, including the RTO West Transmission Operating Agreement. Notwithstanding the breadth of the filing, the RTO West Participants acknowledge that “[m]uch work remains to move from the conceptual proposal set forth in this filing to a fully operational RTO West”. Stage 2 Filing at 14.

7) XES, as the agent of PS Colorado and Cheyenne, has an obvious interest in this proceeding. First, as noted above, PS Colorado is the only current participant in TRANSLink that is in the Western Interconnection, and as indicated in the TRANSLink filing, it is the intention of TRANSLink to obtain certain RTO services for the transmission facilities that it controls in the West, including the facilities of PS Colorado, from one host RTO in the West. At present, there are two possibilities: WestConnect and RTO West. PS Colorado has had ongoing

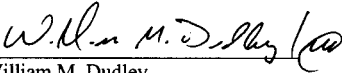
discussions with both entities. Thus, PS Colorado, through its participation in TRANSLink, is a potential participant in RTO West. Second, Cheyenne will likely need to participate in an RTO, whether or not it ultimately participates in TRANSLink. It is thus a potential participant in RTO West. Third, PS Colorado is an active participant in the wholesale markets in the West, and is a transmission customer of the RTO West Applicants. It will thus be affected by RTO West's ultimate transmission tariff. Accordingly, XES, as agent for PS Colorado and Cheyenne, has an interest in this proceeding, and such interest cannot be protected by any other party.

8) XES submits this intervention on behalf of PS Colorado and Cheyenne and not on behalf of TRANSLink and its participants. On May 28, 2002, The TRANSLink Participants submitted their own motion to intervene and comments in the captioned docket. XES submits this intervention for PS Colorado and Cheyenne solely on their behalf.

WHEREFORE, the Commission should grant XES' intervention status on behalf of PS Colorado and Cheyenne in this proceeding.

Respectfully submitted,

XCEL ENERGY SERVICES INC.

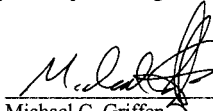

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Its Attorney

Dated: May 29, 2002

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document on the parties to the official service list compiled by the Secretary in this proceeding.

A handwritten signature in black ink, appearing to read 'M. C. Griffen', is written over a horizontal line.

Michael C. Griffen
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dated: May 29, 2002
Washington, D.C.